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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,579	10/17/2003	Alan K. Forsythe	GTDV120953	2274

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EXAMINER

JACKSON, ANDRE L

ART UNIT PAPER NUMBER

3677

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,579

Applicant(s)

FORSYTHE, ALAN K.

Examiner

Andre' L. Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-13, 16-25 and 28-33 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 334,937 to Comstock. Comstock (Figs. 7 and 8) discloses a door knob comprising;

a control device or door lock/latch housing assembly (not shown); an actuation member (C) coupled to the control device and having a first projection (m) with a first engagement surface and a second projection (m) with a second engagement surface; and a gripping device (a) having a first protrusion (k) with a first interference surface and a second protrusion (k) with a second interference surface thereof, wherein the gripping device is adapted to be selectively keyed upon the actuation member in a first orientation or a second orientation by selective interaction of the first projection with the first protrusion or the second projection with the second protrusion, and wherein the gripping device is selectively couplable to the actuation member and is positionable between a locked position, wherein the gripping device is coupled to the actuation member by interference of the first engagement surface with the first interference surface and the second engagement surface with the second interference surface, and an unlocked position, wherein the gripping device is selectively removable from the actuation member.

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As to claims 5, 6, 10, 16, 17, 21, 28 and 31, Comstock discloses that the door knob further comprises first and second locking members (b, b), each locking member positioned to engage and press against the first projection and second projection respectively to aid in holding the gripping device in a locked position.

As to claims 7, 18 and 29, Comstock discloses sidewalls of the gripping device formed at the first and second protrusions and the first and second locking members (Fig. 7), the sidewalls are in communication with each other wherein the sidewalls of the locking members are inclined relative to the sidewalls of the protrusions and a plane passing through a central axis of the actuation member.

As to claims 8, 11, 19, 22 and 32, Comstock discloses first and second limit stops (f, f) formed integral with the actuation member, each limit stop positioned to engage a first end (protrusion) and a second end (protrusion) of a resilient stop (e) to aid in holding the gripping device in the locked position.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 14, 15, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comstock. Comstock discloses or shows the first and second engagement surfaces of the

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projections having a size and shape consistent with the first and second interference surfaces of the protrusions, Comstock does not disclose that the engagement surfaces are inclined at an angle relative to the interference surfaces as claimed. It is well known in the art and would have been obvious to one having ordinary skill in the art at the time of applicant's invention to have inclined engagement surfaces relative to the interference surfaces, since a change in the shape of a prior art device is a design consideration within the skill of the art. Furthermore, applicant does not state a change in shape (inclined engagement surface) of the claimed invention solves any relevant problem or is for a particular purpose and the door knob of Comstock operates equally as well.

Conclusion

Additional references are cited on the PTO 892 form but were not used to determine patentability of this application instead the references gave information on knob/pull construction.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (10 am - 6 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


~~Primary~~ JACK LAVENDER
PATENT EXAMINER
TECHNOLOGY CENTER 3300
1/3/05